



Report of Activities  
on  
Hawaii Revised Statutes §103-50  
Relating to Accessibility for Persons with  
Disabilities

July 1, 2006 - June 30, 2007

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## **I. Overview**

Hawaii Revised Statutes (HRS) §103-50 states that all plans and specifications for the construction of public buildings, facilities, and sites by the State or any county shall be prepared so that the buildings, facilities, and sites are accessible to and usable by persons with disabilities.

Public buildings, facilities, and sites means buildings, facilities and sites that 1) are designed, constructed, purchased or leased with the use of State or county funds; 2) house State or county programs, services, or activities that are intended to be accessed by the general public; or 3) buildings, facilities, or sites to be transferred to the State or a county.

HRS §103-50 states that all agencies of the State and counties shall seek the advice and recommendations from the Disability and Communication Access Board (DCAB) on all plans and specifications to ensure access. The design standards to ensure that all buildings, facilities, and sites are accessible shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the requirements of the Federal Fair Housing Amendments Act. In addition, DCAB has the authority to adopt or develop design guidelines for items not covered in the ADAAG in order to provide greater accessibility for persons with disabilities.

The Facility Access Unit is responsible for implementing HRS §103-50. The purpose of the Facility Access Unit is to:

- 1) Review all construction documents of the State and counties, i.e., preliminary and final drawings and specifications, to determine their accessibility and conformance to the ADAAG, and supplementary guidelines and standards established or adopted by DCAB.
- 2) Provide technical assistance to the Standing Committee on Facility Access who issues interpretive opinions on State of Hawaii accessibility design guidelines, as requested, for the purpose of clarifying accessible design requirements for State and county construction projects.
- 3) Provide technical assistance to the Standing Committee on Facility Access who approves through public hearing, site-specific alternate designs that provide an equal or greater degree of accessibility for buildings, facilities, and sites for persons with disabilities.
- 4) Provide technical review and input in construction planning efforts in the development phase (i.e., urban or project master plans) of projects to ensure that accessibility is taken into account in the earliest stages of the project to ensure compliance with HRS §103-50.
- 5) Provide technical assistance to State and county departments on how to survey their own sites or a potential site for accessibility.

- 6) Assist State and county departments regarding the design of buildings, facilities, and sites which must be programmatically accessible but do not have technical specifications covered by the HRS §103-50 review process (e.g., recreational facilities, play areas).
- 7) Assist State Civil Defense to cross-reference the locations of emergency shelters with the ADA Transition Plan of the Department of Education and other government agencies.
- 8) Provide technical information to design professionals on the requirements of the ADAAG and other relevant design codes through responding to questions on design via faxes or phone inquiries.
- 9) Conduct or coordinate workshops and training sessions for 1) public works personnel, 2) the building and design community, and 3) user agencies on design standards, human factor requirements for persons with disabilities, access laws, and exemplary design.
- 10) Prepare a periodic "Access Bulletin" to inform design professions and State and county managers of the latest information on accessibility design standards and guidelines.
- 11) Provide policy guidelines to State and local government to recommend adherence to proposed or interim amendments to the ADAAG.
- 12) Continue efforts to incorporate accessibility design requirements into all applicable county codes and standards, most specifically the County Building Code.
- 13) Conduct a comparative analysis of the revised ADAAG with current guidelines used for the HRS §103-50 review process.

## **II. Document Reviews as Required Under HRS §103-50**

Document reviews of State and county projects form the primary core of the work of the Facility Access Unit staff. The following information is a compilation of document reviews completed by the Facility Access Unit staff for the fiscal years 1997-1998 through 2006-2007.

<b>Fiscal Year</b>	<b>06-07</b>	<b>05-06</b>	<b>04-05</b>	<b>03-04</b>	<b>02-03</b>	<b>01-02</b>	<b>00-01</b>	<b>99-00</b>	<b>98-99</b>	<b>97-98</b>
<b>Total</b>	<b>1,063</b>	<b>1,193</b>	<b>1,339</b>	<b>1,537</b>	<b>1,285</b>	<b>1,529</b>	<b>1,287</b>	<b>1,045</b>	<b>1,141</b>	<b>998</b>
<b>Reviews</b>										
<b>Unduplicated</b>	<b>634</b>	<b>718</b>	<b>676</b>	<b>828</b>	<b>679</b>	<b>831</b>	<b>768</b>	<b>659</b>	<b>672</b>	<b>635</b>
<b>Resubmittals</b>	<b>429</b>	<b>475</b>	<b>663</b>	<b>709</b>	<b>606</b>	<b>698</b>	<b>519</b>	<b>386</b>	<b>469</b>	<b>363</b>

The total number of document reviews for FY 2006-2007 was 1,063. This was a decrease of approximately 12% when compared to FY 2005-2006. The total number of unduplicated or new submittals for FY 2006-2007 was 634. This was a decrease of approximately 13% when compared to FY 2005-2006. The total number of resubmittals

for FY 2006-2007 was 429. This was a decrease of approximately 11% when compared to FY 2005-2006. The lower number of document reviews does not reflect less efficiency in the document review process. The decrease in document reviews allowed the Facility Access Unit to redirect a portion of its resources to new activities and responsibilities, such as review and monitor transportation vehicle accessibility guidelines, provide technical assistance for transportation vehicle accessibility, review and monitor passenger vessel accessibility guidelines, and coordinate DCAB's first Accessible Design Awards.

Further details on the unduplicated (634) document reviews for FY 2006-2007 are reflected in Tables 1, 2, and 3.

- Table 1 indicates the number of unduplicated (634) document reviews by the agency overseeing the project. As indicated in Table 1, the State Department of Education (DOE) submitted the greatest number of projects, followed by the State Department of Transportation, and the City and County of Honolulu's Department of Design and Construction. The majority of projects submitted by the Counties of Maui, Hawaii, and Kauai were from the Departments of Public Works. The majority of projects submitted for a document review were alteration projects and public right-of-way projects. The University of Hawaii Community Colleges and County of Kauai Public Works accounted for the largest increase in unduplicated or new submittals. The City and County of Honolulu Department of Planning and Permitting accounted for the largest decrease in unduplicated or new submittals, followed by the DOE and Department of Land and Natural Resources (DLNR). The decrease in DLNR unduplicated or new submittals could be attributed to the completion of the design phase of DLNR's Transition Plan projects.
- Table 2 indicates the number of unduplicated (634) document reviews by type of facility. Public school and public right-of-way projects account for the greatest number of document reviews followed by park projects.
- Table 3 shows the number of the unduplicated (634) document reviews by location or island. The Islands of Oahu and Maui experienced a decrease in the number of unduplicated document reviews during FY 2006-2007 compared to the previous fiscal year. Maui experienced the greatest relative decrease in document reviews of approximately 22%. The Island of Hawaii experienced almost no change in the number of unduplicated document reviews during FY 2006-2007 compared to the previous fiscal year. Kauai experienced an increase, of approximately 16%, in the number of unduplicated document reviews during FY 2006-2007 compared to the previous fiscal year. As expected, the predominant numbers of document reviews were for facilities located on the Island of Oahu.

### **III. Interpretive Opinions and Site Specific Alternate Designs**

Four (4) interpretive opinion requests were received and issued by the Standing Committee on Facility Access in FY 2006-2007:

- DCAB 2006-01 relating to the mounting height of tactile, non-pictogram signs that designate permanent rooms and spaces.
- DCAB 2006-02 relating to the use of front approach door maneuvering clearance on doors with a predominant side approach.
- DCAB 2006-03 relating to the use of non-continuous grab bars in an accessible roll-in shower when the shower wall exceeds 60" and standard manufactured lengths do not exist.
- DCAB 2006-04 relating to the use of a fixed seat in an accessible roll-in shower in lieu of a folding shower seat when a clear dimension of 30" by 60" is maintained within the shower, beyond the fixed seat.

No site-specific alternate design requests were received in FY 2006-2007.

### **IV. Training and In-Service Workshops**

The DCAB staff conducted or coordinated the following training and in-service workshops in FY 2006-2007:

- A general ADAAG workshop/training session for the County of Kauai on September 28 and 29, 2006.
- An accessible parking workshop/training session for the County of Kauai on September 28 and 29, 2006.
- A public rights-of-way workshop/training session for the County of Kauai on September 28 and 29, 2006.
- A HRS §103-50 workshop/training session for the County of Kauai on September 28 and 29, 2006.
- An accessible routes, doors, and signs workshop/training session for Durrant/Media Five on October 19, 2006.
- A basic ADAAG workshop/training session for State and county personnel on October 24, 2006.
- An advanced ADAAG and HRS §103-50 workshop/training session for State and county personnel on October 24, 2006.

- An accessible plumbing elements workshop/training session for Durrant/Media Five on December 14, 2006.
- A HRS §103-50 workshop/training session for County ADA Coordinators on December 15, 2006.
- A public rights-of-way workshop/training session for the American Council of Engineering Companies of Hawaii Symposium on February 28, 2007.
- An accessible mechanical and electrical elements workshop/training session for the American Council of Engineering Companies of Hawaii Symposium on February 28, 2007.

## **V. Technical Assistance on Design**

The Facility Access Unit provides consultation and technical assistance to design professionals in both the public and private sector in order to provide guidance on how to make buildings and facilities accessible to persons with disabilities.

In FY 2006-2007 the Facility Access Unit fielded approximately 1,000 requests for technical assistance in areas concerning the design standards for HRS §103-50, the ADAAG, and the Final Fair Housing Accessibility Guidelines. Technical assistance was provided primarily through responses to fax and telephone inquiries.

In order to assist the design profession, DCAB completed “Access Bulletin” Numbers 29, 30, and 31, which included a summary of recent interpretive opinions and information regarding accessibility issues of importance to the design community and State and county project managers.

## **VI. Master Plan Reviews and Related Activities**

In an effort to provide assistance to agencies in identifying architectural barriers, the Facility Access Unit staff completed the following:

- Reviewed and provided written comment on six (6) master plans to ensure that the overall design concept incorporates accessibility requirements: 1) Panoramic Survey Telescope and Rapid Response System Environmental Impact Statement, 2) Kailua High School Additional Access Road Project Draft Environmental Assessment, 3) Kokee and Waimea Canyon State Parks Draft Master Plan, 4) Kapalua Coastal Trail Draft Environmental Assessment, 5) South Maui Community Park Application for Special Management Area Permit District Phase 2 and Draft Environmental Assessment, and 6) Kewalo Basin Rules for Kewalo Harbor.
- Participated in Department of Health’s meeting on State and Healthy Community Environments and subsequent working group meetings on the Built Environment to provide continuing input on accessible design in the earliest stages of community planning.

## **VII. Other Activities**

In an effort to further the cause of accessibility in buildings, facilities, sites, and transportation vehicles/vessels and to ensure equal access for persons with disabilities, a number of other activities were conducted. While not directly a component of HRS §103-50, these activities were related to accessibility concerns:

- Prepared a preliminary comparative analysis of the revised ADAAG with current guidelines used for the HRS §103-50 review process.
- Reviewed and analyzed the International Building Code 2006, International Residential Code 2006, and Hawaii County Amendments for the Hawaii County Building Code.
- Reviewed and supported state legislation to create a State Building Code Council who will work with the counties to adopt a statewide building code that includes hurricane resistive design standards and the most recent fire code, plumbing code, and international building code. Advocated (unsuccessfully) to have accessibility issues for persons with disabilities addressed in the development of a new building code. Signed into law as Act 82 effective July 1, 2007.
- Supported several bills or resolutions to improve pedestrian paths, particularly crossing intersections, to make it safer for elderly and disabled persons and to reduce traffic fatalities.
- Reviewed Bill 2202 (2006), which establishes a new chapter, Kauai County Code 1987, as amended, relating to the housing policy for the County of Kauai.
- Participated in the National Center on Accessibility's survey of accessible recreational facilities.
- Conducted an analysis of the U.S. Access Board's Revised Draft Passenger Vessel Accessibility Guidelines dated July 7, 2006.
- Conducted an analysis of the U.S. Access Board's Draft Revisions to the ADAAG for Buses and Vans dated April 11, 2007.
- Provided the Department of Transportation technical consultation for new Wiki Wiki buses at the Honolulu International Airport.

**Table 1**  
**Facilities Reviewed by Project Department**  
**(Unduplicated Count)**  
**FY 2006-2007**

**State of Hawaii**

Department of Accounting and General Services	26
Department of Transportation	74
Department of Land and Natural Resources	14
University of Hawaii at Manoa and Hilo	30
University of Hawaii, Community Colleges	30
Department of Human Services	1
Judiciary	3
Department of Health	2
Department of Hawaiian Home Lands	5
Department of Education	151
Hawaii Public Housing Authority	3
Hawaii Housing Finance and Development Corporation	5
Hawaii Health System Corporation	2
Sub-Total	346

**City and County of Honolulu**

Department of Transportation Services	2
Board of Water Supply	10
Department of Design and Construction	59
Department of Planning and Permitting	54
Department of Wastewater Management	4
Department of Community Services	6
Sub-Total	135

**County of Maui**

Public Works	33
Parks and Recreation	7
Housing and Community Development	1
Department of Water	3
Fire Department	1
Sub-Total	45

**County of Hawaii**

Public Works	50
Parks and Recreation	9
Housing	1
Department of Water	8
Sub-Total	68

**County of Kauai**

Public Works	37
Housing	2
Department of Water	1
Sub-Total	40

**TOTAL            634**



**Table 2**  
**Facilities Reviewed by Type of Facility**  
**(Unduplicated Count)**  
**FY 2006-2007**

<b>Facility Type</b>	
Office	34
School - General	213
School - Vocational or Trade Shop	1
Library (not at a school)	6
Hospital/Medical Care Facility	5
Health Clinic	4
Wastewater or other Treatment Facility	10
Water Pump Station/Water Piping/Water Main/Wells	31
Court	1
Correctional Facility	5
Police Station	2
Fire Station	5
Park/Gym	44
Warehouse/Storage Facility	1
Community/Cultural Center	3
Observatory/Facilities	1
Airport Facility	32
Harbor/Boat/Docks	8
Bus or Mass Transit Terminal/Guideway Station	2
Parking/Maintenance Facility	9
Streets/Sidewalk/Mall/Bike Path/Shared Use Path	169
Highways/Tunnels/Bridges	32
Firing Range	1
Civil Defense Facility/Disaster	1
Housing - Apartment or Condominium = General	6
Housing - Apartment or Condo = Specialized Elderly/Handicapped	1
Housing - Group Home or other Community Care Facilities	4
Housing - Homeless Shelter	2
Infrastructure (i.e., mass grading, sitework, utilities)	1
<b>TOTAL</b>	<b>634</b>

**Table 3**  
**Facilities Reviewed by Location of Facility**  
**(Unduplicated Count)**  
**FY 2006-2007**

**Facility Location**

Oahu	336
Maui, Lanai, and Molokai	91
Kauai	67
Hawaii	140
<b>TOTAL</b>	<b>634</b>



HAWAII STATE  
DEPARTMENT  
OF HEALTH

Disability and Communication Access Board  
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Honolulu, HI 96814  
Phone: (808) 586-8121 (V/TTY)

We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. If you have a concern, write or call the Disability and Communication Access Board or the Department of Health Affirmative Action Officer at P.O. Box 3378, Honolulu, HI 96801-3378, or call 586-4616 (V/TTY) within 180 days of a problem.